

Application No. 10/500,175
Amendment dated February 7, 2007
Reply to Office Action dated January 12, 2007

Docket No.: 61536 (46342)

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Applicants request reconsideration of the subject application based on the following election, amendments, and remarks of the invention.

Claims 1-27 are currently pending in the instant application. Claims 1-21 and 23 have been withdrawn from consideration. Claims 22, and 24-27 have been amended to correct typographical errors. New claims 28-39 have been added to more clearly delineate the instant invention. As such, claims 1-39 will be pending upon entry of the within amendment. Applicants reserve the right to pursue the withdrawn/canceled subject matter in this or a subsequent application. No new matter has been added by the claim amendments.

Support for the amendment to the claims and support for the new claims can be found in the claims as originally filed and throughout the specification. Specifically, support for new claims 28, 31, 34, and 37 can be found at least at page 10, lines 13-22 of the specification as filed. Support for new claims 29, 32, 35, and 38 can be found at least at page 10, lines 23-27, and page 11, line 26 of the specification as filed. Support for new claims 30, 33, 36, and 39 can be found at least at page 10, lines 23-25 of the specification as filed.

In response to the restriction requirement set forth in the Office Action mailed January 12, 2007, Applicants traverse but hereby provisionally elect Group VII, with traverse, for continued examination. Applicants submit that no unreasonable burden is incurred by a search of Groups I to VII.

The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter of the application. Applicant reserves the right to file divisional application(s) on the non-elected claims.

Applicants request rejoinder of the withdrawn claims of commensurate scope to the methods of inhibiting weight gain, body weight loss promotion, adipose gain inhibition, or feeding inhibition, upon allowance of claims directed to the elected invention.

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In view of the above amendment, applicant believes the pending application is in condition for allowance.

The Director is hereby authorized to charge any credits or deficiency in the fees filed (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 61536 (46342).

Dated: February 7, 2007

Respectfully submitted,

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